IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YING-DUO GAO, et al.

Serial No. 10/624,414 Filed: July 21, 2003

For: SPIRO-INDOLINES AS Y5 RECEPTOR

ANTAGONISTS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Art Unit: 1624

Examiner: K. Habte

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Beerbel R Brown Date 8/7/03



INFORMATION DISCLOSURE STATEMENT

Page 2	of 2	PATENT Case	No. <u>20329YIDD</u>
	INFORMATION DISCLOSU		AUG 0
4.	Except for Cite Nos, copies of the refere	nces listed on the attached form	n are not enclosed 2003
cause t	they have been submitted to or cited by the Office in a related	l application as follows:)/290 T
		RELATED APP	LICATION
	U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
upon	which the instant application relies for an earlier filing date u	nder 35 U.S.C. 120. Therefore,	, pursuant to
37 C.	F.R. 1.98(d), copies of these references are not enclosed he	rewith. If this is inconvenient, a	dditional
copie	es will be submitted upon request.		
5	5. In accordance with 37 C.F.R. 1.97, (check one)		
✓ ti	the attached information is filed within three months of the filir	g date of the captioned case.	
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	the attached information is filed more than three months after Office Action on the merits.	the filing date but prior to the m	ailing of a first
	he attached information is being filed more than three months	s after the filing date and after th	ne mailing of a first
(Office Action on the merits, but before the mailing date of a Fi	nal Action or Notice of Allowand	ce. The enclosed
	authorization is therefore given to charge Deposit Account No 1.17(p).	. 13-2755 for the fee required u	nder 37 C.F.R.
tl	the undersigned certifies that each item of information contain cited in any communication from a foreign patent office in a co		
	months prior to the filing of this Statement.		
— Ja p	the undersigned certifies that no item of information contained a communication from a foreign patent office in a counterpart person signing the certification after making reasonable inquir C.F.R. 1.56(c) more than three months prior to the filing of this	foreign application, and, to the I y, was known to any individual (knowledge of the
		Respectfully submitted,	
		Baubel R.	Sover
		By: BAERBEL R. BROWN	
		Attorney For Appl	icant(s)
		Reg. No. <u>47,449</u>	
		MERCK & CO., INC. Patent Dept., RY60-30	
		P.O. Box 2000	,
		Rahway, N.J. 07065-0907 (732)594- <u>0672</u>	
		Date: 817/03	

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	Sheet 2 of	3	Attorney Docket Number	20329YDD	99		

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		

			FOREIC	ON PATENT	T DOCUMENTS	
Examiner Initials*	Cite No.	Office	Foreign Patent Document Number	Kind	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
illitiais.	110.	Office		Code (if known)	of Ched Document	MM-DD-YYYY
		/ //	WO 97/37998		Bayer Corporation	10/16/1997
		7	WO 97/46250		Synaptic Pharm. Corp.	12/11/1997
		7	WO 98/47505		Banyu Pharm. Co., Ltd.	10/29/1998
		7	WO 98/52890		Eli Lilly and Company	11/26/1998
		7	WO 99/32466		Novartis	07/01/1999
		7	WO 99/48873		Bristol-Myers Squibb Company	09/30/1999
		1	WO 99/48888		Bristol-Myers Squibb Company	09/30/1999
		1	WO 99/55667		Ortho-McNeil Pharmaceutical, Inc.	11/04/1999
		V	WO 02/48152		Neurogen Corporation	06/20/2002
		7	WO 99/40091		Amgen Inc.	08/12/1999

Examiner Signature	Date Considered	

Attorney Docket Number

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U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
		5602024		Gerald et al.	02/11/1997		
		5919901		Hu et al.	07/06/1999		
		5939362		Johnson et al.	08/17/1999		
		5968819		Gerald et al.	10/19/1999		
		5989834		Gerald et al.	11/23/1999		
		5989920		Gerald et al.	11/23/1999		
		6187777		Norman et al.	02/13/2001		
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	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Foreign Patent Document Office Number		nt Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
		DE	198 24 175 A1		Novartis	12/02/1999		
		EP	0 945 438 A1		Banyu Pharm. Co., Ltd.	09/29/1999		
		EP	0 945 439 A1		Banyu Pharm. Co., Ltd.	09/29/1999		
		EP	0 945 440 A1		Banyu Pharm. Co., Ltd.	09/29/1999		
		EP	0 955 293 A1		Banyu Pharm. Co., Ltd.	11/10/1999		
		wo	96/16542		Synaptic Pharm. Corp.	06/06/1996		
		WC	97/19682		Synaptic Pharm. Corp.	06/05/1997		
		WC	97/20820		Novartis	06/12/1997		
		wo	97/20822		Novartis	06/12/1997		
		wo	97/20823		Novartis	06/12/1997		

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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

	Substitute for form 1449A/	PTO			COMPLETE IF KNOWN		
	INFORMATI		CLOSURE	Application Number	10/624,414	9	
-	STATEMENT	DV AD	DI ICANT	Filing Date	July 21, 2003	유 유	E
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Sheet	3	of	3	Attorney Docket Number	20329YDD	300	3

		OTHER NON PATENT LITERATURE DOCUMENTS
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	AA	Gerald et al., Nature (1996), Vol. 382, pp. 168-171, "A receptor subtype involved in Neuropeptide-Y"
	AB	Hu et al., J. of Biol. Chem. (1996), Vol. 271, No. 42, pp. 26315-26319, "Identification of a novel hypothalamic neuropeptide"
	AC	Nakamura et al., Biochimica et Biophysica Acta 1328 (1997), pp. 83-89, "Molecular cloning, organization and"
	AD	Schaffhauser et al., Diabetes, Vol. 46 (1997), pp. 1792-1798, "Inhibition of Food Intake by Neuropeptide Y Y5"
	AE	Marsh et al., Nature Medicine, Vol. 4 (1998), pp. 718-721, "Role of the Y5 neuropeptide Y receptor"
	AF	Widdowson, Brain Research, 758 (1997), pp. 17-25, "Regionally-selective down-regulation of NPY Y5"
	AG	Xin et al., NeuroReport 9 (1998), pp. 737-741, "Down-regulated NPY receptor subtype-5 mRNA"
	АН	Bobowski et al., J. Org. Chem., Vol. 46 (1981), pp. 4927-4931, "3,4,9,9a-Tetrahydro-1,4-ethano-3,4a-(iminoethano)-4aH-carbazol-2(1H)-one derivatives"
	AI	Bobowski, J. Org. Chem., Vol. 50(7), (1985), p. 929-931, "3,4,9,9a-Tetrahydro-1,4-ethano-3,4a-(iminoethano)-4aH-carbazol-2(1H)-one derivatives"
	AJ	Chaby, Drug Discovery Today, Vol. 4(5) (1999), pp. 209-221, "Strategies for the control of LPS-mediated pathophysiological disorders"
	AK	Opal et al., Infect. Disease Clinics of North America, Vol. 13(2) (1999), pp. 285-297, "Clinical trials for severe sepsis"

Examiner	Date	
Signature	Considered	